

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Central District of California

FILED
CLERK, U.S. DISTRICT COURT

06/04/2024

CENTRAL DISTRICT OF CALIFORNIA
BY: GR DEPUTY

United States of America)

v.)

Suk Min Choi, a.k.a.)

"Alex Choi," a.k.a.)

"@AlexChoi1," a.k.a.)

Case No. **2:24-mj-03272-DUTY**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 27, 2023 in the county of Los Angeles in the
Central District of California, the defendant(s) violated:

Code Section

Offense Description

49 U.S.C. § 46505(b)(3), 18 U.S.C.
§ 2(b)

causing the placement of explosive or incendiary device on an aircraft

LODGED
CLERK, U.S. DISTRICT COURT

JUN - 4 2024

CENTRAL DISTRICT OF CALIFORNIA

BY: rsm DEPTUTY

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.

Complainant's signature

DOT-OIG SA Cristina Jones

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/04/2024

City and state: _____



Judge's signature

The Honorable Karen Stevenson
United States Chief Magistrate Judge

AUSA: Dominique Caamano

AFFIDAVIT

I, Cristina Jones, being duly sworn, declare and state as follows:

I. PURPOSE OF AFFIDAVIT

1. This affidavit is made in support of a criminal complaint and arrest warrant against Suk Min Choi, also known as ("a.k.a.") "Alex Choi," a.k.a. "@AlexChoi1," a.k.a. "@Alex.Choi" (collectively, "CHOI") for a violation of 49 U.S.C. § 46505(b)(3), 18 U.S.C. § 2(b) (causing the placement of explosive or incendiary device on an aircraft) (the "Subject Offense").

2. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and arrest warrant and does not purport to set forth all of my knowledge of the investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only and all dates and times are approximate.

II. BACKGROUND OF AFFIANT

3. I am a Special Agent ("SA") with the United States Department of Transportation, Office of Inspector General ("DOT-OIG"), and have been so employed since July 2019. Previously, I was a Special Agent with the United States Department of Labor, Office of Inspector General, from February 2018 to July 2019. I

am assigned to the Western Regional Office in Cerritos, California, where I investigate matters concerning violations of Title 18 and Title 49 of the United States Code. As a DOT-OIG Special Agent, I am responsible for investigating various types of fraud and safety violations related to DOT programs.

4. I have completed three months of training at the Federal Law Enforcement Training Center in Brunswick, Georgia. During my employment as a DOT-OIG Special Agent, I have participated in investigations related to transportation safety, wire fraud, mail fraud, fraud against DOT programs, and various other DOT-related violations, including those involving aircrafts. I have participated in various aspects of criminal investigations, including bank-record analysis, electronic surveillance, physical surveillance, search warrants, arrests, and reviewing evidence from digital devices.

III. SUMMARY OF PROBABLE CAUSE

5. On or about July 4, 2023, CHOI posted an approximately 11-minute-long video titled "Destroying a Lamborghini With Fireworks" to his YouTube channel.¹ Nearly 1 million people subscribe to that channel. In the video, CHOI presses a "fire missiles" button while two women are in a helicopter shooting fireworks at a Lamborghini sportscar. After shooting what

¹ On May 25, 2024, I viewed the video via CHOI's YouTube channel. As of May 28, 2024, the video is no longer publicly available for view on CHOI's YouTube channel. Posts related to the video on CHOI's Instagram account were also no longer publicly available. DOT-OIG forensically saved a copy of the video and the Instagram posts before they were publicly removed. Videos containing footage from the shoot involving fireworks shot from the helicopter remain publicly available through other YouTube channels and social media accounts.

appears to be a live-action version of a fictionalized video-game scene, the video transitions to a behind-the-scenes look at how CHOI shot the first third of the video. During that portion of the video, CHOI makes various references to his coordinating the shoot as follows: the video states it is "Directed by" CHOI; CHOI thanks a camera company for "being a part of my crazy stupid ideas;" that the group present "fucked up" at one point "because I forgot to tell my friend how to use a torch;" and made the decision to end filming when someone asked if they would film again, stating, "No, that's it, we're out of fireworks, right?"

6. Based on the above, and as described in further detail below, there is probable cause to believe that CHOI committed the Subject Offense, i.e., on or about June 8, 2023 and June 27, 2023, within the Central District of California and elsewhere, CHOI, together with others, caused individuals to have placed on an aircraft, that is a helicopter (hereinafter referred to as the "HELICOPTER"), an explosive or incendiary device, namely, fireworks, in violation of Title 49, United State Code, Section 46505; and Title 18, United States Code, Section 2(b).

VI. REGULATORY BACKGROUND

7. The Federal Aviation Administration ("FAA") is an agency within the United States Department of Transportation charged with ensuring the safety of aircraft operations in the United States. The FAA regulates all civilian aviation matters in the United States and enforces the Code of Federal Regulations within its jurisdiction.

8. Per the FAA, the filming of a video such as CHOI's would have required an approved Certificate of Waiver for Motion Picture and Television Filming. In order to receive such waiver, an aircraft pilot/operator must develop an acceptable operations manual for use in motion picture and television filming production. The aircraft pilot/operator must submit FAA Form 7711-2 (Certificate of Waiver or Authorization Application), and include a proposed motion picture and television operations manual, at least 45 days before actual filming begins. Further, the operator must develop safe operating procedures, guidelines, and criteria to operate below the altitude required in Title 14 of the Code of Federal Regulations (14CFR) part 91 91.119(b) and (c), 91.303, and 91.515(a).

9. In addition to having an approved motion picture and television flight operation manual, the aircraft pilot/operator must also submit a written plan of activities three days before the scheduled filming to the responsible FAA Flight Standards District Office (FSDO) having jurisdiction over the area of proposed filming. The plan of activities must include: (1) dates and times for all flights; (2) name and phone number of person responsible for filming production events; (3) name and phone number of person(s) responsible for the aircraft; (4) make, model, and serial or N-number of aircraft to be used and type of airworthiness certificate, including category; (5) name and certificate number of pilots in the filming production event including any notation or external-load endorsement or aerobatic

competency, if required; (6) a statement that the waiver holder has obtained permission from the property owners and/or local officials to conduct the filming production event. The list of those who gave permission must be made available to the inspector upon request from the waiver holder; (7) signature of waiver holder or representative; and (8) a description of the flight activity including maps or diagrams of any area, city, town, county, and/or state over which filming will be conducted and the minimum altitudes the accomplish the operation.

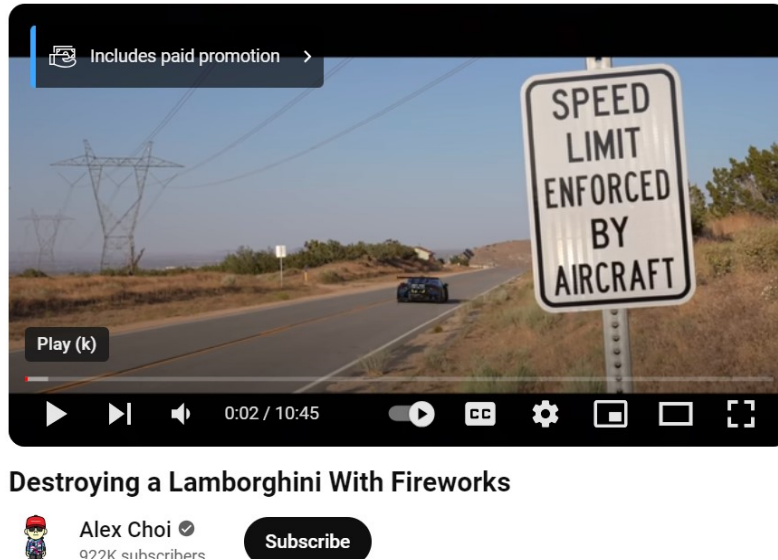
VII. STATEMENT OF PROBABLE CAUSE

10. Based on my review of law enforcement reports, conversations with other law enforcement agents, and my own knowledge of the investigation, I am aware of the following:

A. YouTube Video

11. I have reviewed the video titled, "Destroying a Lamborghini With Fireworks," published on CHOI's YouTube channel (AlexChoi1) and observed the following:


12. As the video begins to play, and as shown below, a banner appears on the top left corner that reads, "includes paid promotion," as depicted below on the following page:



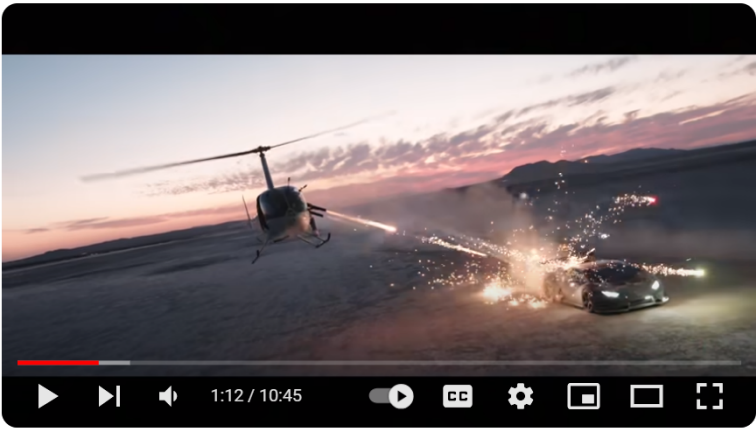
13. The video is approximately 10 minutes and 45 seconds long. About the first three minutes of the video show various dramatic action scenes. A female and male acting as police officers discuss going to find an individual who is speeding. The female is then shown getting into a helicopter. In subsequent clips, two females are seen onboard a helicopter, while the helicopter is airborne, and the females are holding and shooting fireworks out of the helicopter onto and towards a Lamborghini sportscar (the "Sportscar") driving on the ground as depicted in the screenshots below on the following page:




Destroying a Lamborghini With Fireworks

 Alex Choi ✓
922K subscribers

Subscribe



Destroying a Lamborghini With Fireworks

 Alex Choi ✓
922K subscribers

Subscribe



Destroying a Lamborghini With Fireworks


 Alex Choi ✓
923K subscribers

Subscribe

 37K



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14. After the first three minutes, the video transitions into a behind-the-scenes filming of the action scenes. During this portion of the video, there are clips of an individual advertising the use of the purported sponsor of the video's cameras.

15. A person who I believe to be CHOI based on DMV photograph records I reviewed is heavily featured in the video discussing various parts of filming, including: switching the type of fuel he puts into the Sportscar "whenever I'm doing crazy shit," purportedly because of "less detonation;" that he worked with the sponsoring camera company to shoot the "craziest Fourth of July video involving cars and fireworks;" and discussing that these are "crazy stupid ideas."

16. The same two females who flew in the HELICOPTER during the action scenes are shown with one holding a lighter and firework and asking how she is supposed to light the firework in the middle of the air as depicted in the screenshots below on the next page. A person not visible in the clip responds and explains how she should expose the fuse and light it. At a later point in the video, one of the females in the HELICOPTER--while it's grounded--asks if someone off camera could "hear the fireworks on the car." In response, the person states "It's so fucking loud; it's so loud; it's actually terrifying."



Destroying a Lamborghini With Fireworks



Alex Choi
923K subscribers

Subscribe

37K



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17. In various clips, there is a silver and white color RV, with one clip showing CHOI entering the RV.

18. At approximately six minutes and fifty-four seconds, CHOI also appears near the HELICOPTER holding what appears to be a firework, as depicted below on the following page:



19. In a subsequent clip, CHOI is sitting in the driver seat of a vehicle while an individual says another individual is "getting hit." In a later clip, CHOI asks, "How many people have holes in their shirts?" and one individual responds, "I got shot twice," and again states to the camera "bro, I got double tapped." The same individual then appears in a clip showing him get hit by the fireworks being shot from the HELICOPTER as depicted in the screenshot below:



Destroying a Lamborghini With Fireworks



Alex Choi ✓
922K subscribers

Subscribe

20. Shortly after, another person asks CHOI whether they'll be shooting again, with CHOI responding no, and asking, "We're out of fireworks, right?" Quickly thereafter, CHOI is seen boasting that he "sprayed everyone" and then noting that he saw everyone ducking down.

21. The credits shown at the end of the video read "Directed by Alex Choi."



B. FAA Investigates the "Destroying a Lamborghini with Fireworks" Production Involving Fireworks Shot from a Helicopter.

22. On December 05, 2023, an FAA Inspector notified DOT-OIG that he investigated a video production organized by CHOI involving a helicopter flown by a pilot carrying passengers who shot fireworks from inside the helicopter towards a vehicle driving on the ground at what FAA believed was the El Mirage Dry Lakebed in San Bernardino County within the Central District of California. The FAA Inspector provided me copies of his

enforcement investigation reports for CHOI and the helicopter pilot.² The FAA revoked the helicopter pilot's license because he acted as the pilot in command on or about June 27, 2023 on a passenger-carrying commercial flight in the vicinity of the El Mirage Dry Lake Bed in San Bernardino County, during which passengers launched fireworks from a hand-held device, operated the helicopter less than 500 feet from people and a moving car on the ground, did not display the helicopter's "N" number, created a hazard to persons or property by allowing the fireworks to be launched at a moving passenger-carrying vehicle, operated at less than the minimum altitudes prescribed in 14 C.F.R. 91.119, creating a hazard to persons and property on the surface, and operated the helicopter in a manner that was careless or reckless so as to endanger the life or property of another. I reviewed both reports and interviewed the FAA Inspector, and learned the following:

a. On approximately July 18, 2023, the FAA Inspector interviewed an individual identified in the credits of CHOI's video. I reviewed the FAA Inspector's report and learned that the individual told the FAA Inspector he transported cars as a favor for CHOI and was not sure of the exact location of filming. The individual identified the helicopter pilot by first name. The FAA Inspector identified the Instagram account of this same individual (i.e., the individual who transported cars) and found photographs posted on approximately June 27, 2023, on his

² The FAA took no action against CHOI because he did not have operational control of the HELICOPTER.

Instagram account showing a helicopter and a Lamborghini. Based on those photographs, the FAA Inspector was able to identify the tail number of the HELICOPTER. The FAA Inspector also noted that the HELICOPTER had a logo on it associated with a helicopter pilot he had previously investigated. The FAA Inspector further confirmed the identity of the pilot with a second FAA Inspector, who viewed CHOI's video, and had also investigated the same helicopter pilot on another occasion.

b. The FAA interviewed two drone operators that assisted in the video production. I reviewed the interview reports and learned the following:

i. On November 3, 2023, during an FAA interview, a Drone Operator (herein after referred to as "Drone Operator 1") said he shot footage on June 27, 2023, and that he believed CHOI brought the fireworks to the video shoot. Drone Operator 1 also stated to FAA Inspectors that he had concerns about the video shoot and tried to stay away and behind the helicopter. Drone Operator 1 further told the FAA that he did not remember any first responders on site.

ii. In a follow-up e-mail, dated November 3, 2023, an FAA Inspector asked Drone Operator 1 if he knew which car the fireworks were in and came from. On November 5, 2023, Drone Operator 1 responded via e-mail and wrote that he was one of the last people to arrive and, when it was time to shoot, the fireworks came out of a "small, white RV type vehicle" that was already there when he got there.

iii. On November 13, 2023, the FAA interviewed a second Drone Operator (herein after referred to as "Drone Operator 2"). The FAA asked Drone Operator 2 who brought the fireworks; Drone Operator 2 said he did not know, but that it may have been CHOI. Drone Operator 2 mentioned to the FAA that there was a safety talk that he described as spontaneous where CHOI did the talking.

c. Drone Operator 1 provided the FAA inspector raw footage captured on his drone on June 27, 2023, at the El Mirage Dry lakebed. The FAA Inspector determined that the helicopter shown on the raw footage had the tail number associated with the HELICOPTER.

d. Based on radar data, the FAA determined that the HELICOPTER departed Whiteman Airport in Pacoima, California ("WHJ Airport") on June 27, 2023, at approximately 1:53 p.m. The HELICOPTER flew over General William J. Fox Airfield ("WJF Airport") in Lancaster, CA at approximately 2:16 p.m. and turned east toward El Mirage Dry Lakebed. At approximately 2:28 p.m., the HELICOPTER turned its transponder off and disappeared from radar near Redman, California. At approximately 8:57 p.m., the HELICOPTER reappeared on radar and flew to Whiteman Airport and arrived at approximately 9:42 p.m.

e. On July 23, 2023, during a phone call with FAA Inspectors, the pilot of the HELICOPTER said he did not know anything about the El Mirage video but said it was probably done in Mexico. On July 24, 2023, during a follow-up phone call with FAA Inspectors, the pilot stated, among other things, that he

did not want CHOI to know he was talking to the FAA, and that CHOI was doing unsafe activities involving cars and aircraft.

f. In an e-mail dated July 25, 2023, the pilot wrote to the FAA Inspector that he was not the owner of the HELICOPTER and could not involve himself in any investigations concerning the pilots who use it.

g. On January 08, 2024, the FAA issued an emergency order of revocation for the helicopter pilot's private pilot certificate. One of the reasons listed for the revocation was that the pilot acted as the pilot in command on a flight on June 27, 2023, in which passengers launched fireworks from a hand-held device striking a moving car and people on the ground multiple times.

C. DOT-OIG Does Not Find Permits for the "Destroying a Lamborghini with Fireworks" YouTube Video

23. Based on where the HELICOPTER's radar cut out and their review of the YouTube video, the FAA Inspector believed that the video was shot at the El Mirage Lakebed in San Bernardino County.

24. In viewing the "Destroying a Lamborghini with Fireworks" video, CHOI can be heard stating that they are at the "Lakebed."

25. I understand through this investigation that specific FAA Flight Standards District Offices are charged with providing motion picture and television certificate of waiver as well as approving a plan of activities for filming.

26. A records request to the Van Nuys and Riverside³ FAA Flight Standards District Offices found that none of those offices issued a motion picture and television filming waiver and/or approved a plan of activities for filming with the HELICOPTER at El Mirage on June 8, 2023, or June 27, 2023.

27. I also spoke with a Special Agent with the Bureau of Land Management ("BLM") who informed me that based on where BLM located tire marks, they believe the video was filmed on the federally owned portion of the El Mirage Dry Lakebed. BLM took photos of the tire marks on July 24, 2023, which are depicted below:



28. Based on my review of the video, in which the Sportscar is seen turning in circles, as depicted above, I

³ Because the video was likely shot in El Mirage Lakebed, the Riverside FAA Flight Standards District Office is charged with issuing permits. A check of other offices was done as well.

believe that these tire marks are associated with the filming of the "Destroying a Lamborghini with Fireworks" video.

29. In addition, BLM informed me that BLM issued no permits to CHOI or any other individuals or entities for CHOI's video filmed on June 27, 2023. BLM also informed me that CHOI would have needed a special recreation filming permit, proof of insurance, and would likely require a pyrotechnician and fire crews on site for the use of fireworks. BLM informed me that all fireworks are banned on all BLM property without a permit.

30. ATF also provided records to me indicating that no explosives licenses or permits were issued to CHOI, Choi Corporation, the pilot-in-command of the HELICOPTER used for the video shoot, or the name of the individual billed as the logistics manager in the credits of the "Destroying a Lamborghini with Fireworks" video.

D. Before Filming, CHOI Stated He Would Be Obtaining Fireworks from Las Vegas Because They Are Illegal In California

31. The "Destroying a Lamborghini with Fireworks" video contains a caption with an ad for a camera company and hashtags related to the camera company, including a link for a "free" invisible camera stick.

32. Based on records I obtained and reviewed, I learned the following:

a. In an e-mail dated May 13, 2023, from an email account depicting CHOI's name as the username, CHOI wrote that he would shoot at El Mirage. CHOI wrote his idea was to make a

short, one minute video of an "attack helicopter shooting missiles (mortar style fireworks) at the car, while the car is trying to run away and dodge the missiles using flares (roman candle fireworks attached to the back of the car)." CHOI also wrote, "As these fireworks are expensive and I plan on letting them all off at the same time, to make a crazy, hectic, firework show." CHOI wrote that the cost break down would be \$2100 for the helicopter (700 per hour x3) and \$500-700 for the fireworks.

b. I have reviewed screenshots of text messages obtained in this investigation from the camera company. The contact name at the top of the messages was "Alex Choi." One screenshot shows a contact number for "Alex Choi," which is the same number that appears on CHOI's Airman Certificate and/or Rating Application submitted to the FAA, dated December 4, 2019.⁴

c. The screenshots show text messages with a blue background and responses with a light grey background. Based on my knowledge of iPhones, I believe the messages with the blue background were sent by the user of the phone who took the screenshots and the messages with the light grey background were sent from the contact listed, which in this case, would appear to be CHOI. In addition, as the messages are in grey and blue, based on my understanding of iPhones, it would appear that CHOI also uses an iPhone when text messaging. In the "Destroying a Lamborghini with Fireworks" video, CHOI appears holding what looks like an iPhone while driving, as depicted below:

⁴ I reviewed this record on May 24, 2024. The Application bears an electronical signature for CHOI.



Destroying a Lamborghini With Fireworks



Alex Choi ✓
922K subscribers

Subscribe

36K



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d. The text messages only show a month and day.

Based on my knowledge of this investigation and the timeline of events, I believe the text messages described below were sent/received in 2023. In addition, based on my knowledge of iPhones, I believe the year is only shown above a text message once a full year has passed since the message was sent or received. The messages described below were provided in February 2024, before the one-year mark of when I believe the messages were sent or received.

e. In a text message exchange dated April 25, the sender proposes to CHOI an idea for a Fourth of July short vertical sponsored video in which CHOI captures an "insane 360-degree bumpers shot with firecrackers." In a later response, dated April 28, CHOI wrote, "I'll go to a salt flat, tape as much fireworks as you guys are willing to purchase for me on the car, do drifts (the firework will look super cool through the

clouds of dust) while i set off the fireworks. I can even get my friend with a helicopter out and attach cameras on the helicopter while he chases me." The next text message from CHOI reads, "i can even have someone sitting in the helicopter and have them shoot fireworks back at me."

f. In a message that does not display the date received, CHOI wrote, in part, "I would also have to drive to Las Vegas to buy fireworks, as they are illegal in california" followed by a laughing crying emoji. In another message, dated May 20, CHOI wrote, "Also- i will be driving to Las Vegas on the 29th to get those fireworks." In a subsequent text message dated May 29, CHOI wrote, "I am going to grab the fireworks today."

g. In a text message dated June 10, CHOI wrote, "amazing, but i want to re-shoot it. We messed up 1 really important shot i wanted to get. the helicopter pilot said he would only charge me 700 dollars if i wanted to re-shoot it next week, since he will be out there for another job. If you guys can't cover that, i'll pay out of my own pocket." The next message CHOI sent read, "and i'm driving to Las Vegas next week to buy some more fireworks."

h. In text messages dated July 24, the sender informs CHOI that they were contacted by the FAA and asked CHOI if he knew anything about why the FAA is contacting them. CHOI responds in part, "that guy has a personal issue with my helicopter pilot friend and every time i do a shoot with him, tries to get more information about him so he can go after him."

Some other people in the production got contacted as well, I advised them to just ignore the email. I am sorry about that."

33. In addition, I obtained raw video footage from the camera company of the filming associated with the "Destroying a Lamborghini with Fireworks" on CHOI's YouTube Channel. The videos appear to be taken by cameras mounted on a vehicle and depict the same events from different angles. Based on the file name of those videos, it appears that CHOI filmed footage on June 8, 2023, and again on June 27, 2023. Videos from both dates, show fireworks being shot out of a helicopter.

34. Based on financial records I obtained for accounts held by CHOI and "Alex Choi Corporation," I learned that on May 29, 2023, a credit card in the name Alex Choi Corporation was used to make a purchase in the amount of \$15.68 with a transaction description of "Chevron 0359694 Las Vegas" as well as a purchase in the amount \$21.72 with a transaction description of "Espresso Las Vegas." As noted before, in the text messages described above, CHOI wrote that he would be "driving to Las Vegas on the 29th to get those fireworks."

VIII. CONCLUSION

35. For all of the reasons described above, there is probable cause to believe that CHOI, together with others,

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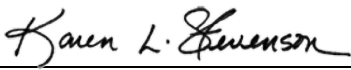
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caused individuals to have placed on an aircraft, that is a helicopter, an explosive or incendiary device, namely, fireworks, in violation of 49 U.S.C. § 46505(b)(3) and 18 U.S.C. § 2(b).

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone on this 4th day of June, 2024.



THE HONORABLE KAREN STEVENSON
UNITED STATES CHIEF MAGISTRATE JUDGE